Original for Record

Mysore State

Superintendent

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HOME (1953) Department.

Ms SERIES.

G.O. NO 2001

FOR MYSORE STATE

Dated 22-6-1953

[Despatch Abstract.]

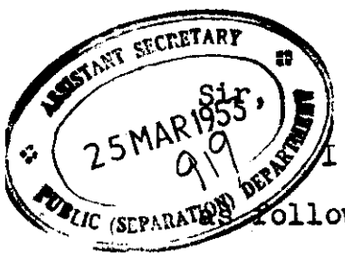
COURTS - Criminal - Bellary district - Additional Sub Magistrate and staff at Bellary - Employment - Sanctioned.

To

Sri Hon'ble Sri K.P. Kutti Krishna Nayar B.A.,B.L., M.L.A.,
Minister for laws,
Government of Madras.

Public (Sepn.).

K.P. Kutti Krishna Nayar
24-3-53



Sir,

I, G.Nagabhushanam B.A.,B.L., M.L.A. Bellary submit as follows:-

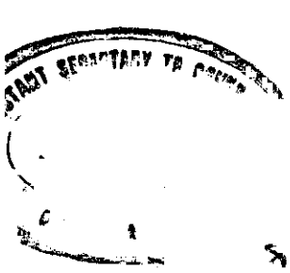
I am an advocate practising at Bellary. There is only one stationary Sub-Magistrate Court for Bellary Town with a population of 80,000 Bellary Taluk and part of Singappa Taluk. Since the Jurisdiction being comprehensive one, the case files are volumnious and sufficiently heavy. In spite of the best efforts of the presiding officer, still there are large number of cases pending disposal . I know personally the sub-magistrate of Bellary has been working hard to dispose of cases as quickly as possible. In spite of his hard work the arrears have been increasing.

67498

On account of delay the litigant public are put to considerable inconvenience and financial loss. In fairness it is necessary that an additional second class magistrate's court may be opened at Bellary to dispose of the pending cases as quickly as possible to give relief to litigant public who are undergoing great hardships.

3 It is a fit and proper case for consideration at the hands of the Government and for immediate relief.

Yours faithfully,
G. Nagabhushanam
MBL M.L.A
Bellary
21.3.53



Pub(sepn)Dept.

Home U.O.

Pub(sepn)Dept.
U.O. 919/S-3-1
31/3/53.

30.3.53.

30/3/53

S Home Dept

urgent

Memo No 67498 Courts II/53-1 Dated 1-4-53

Courts - Criminal - Bellary district.
S.S. M's Court, Bellary - Heavy arrears - Appointment of an addl Second class Magte (and staff) - Requested.
Ref:- From Sri G. Nagabhushanam, M.L.A letter dated 21.3.53

—

A copy of the letter cited on the subject mentioned above is forwarded to the Registrar, High Court, Madras and he is requested to obtain and forward to Govt as early as possible the remarks of the Judges on the request contained therein.

Ltd wop
1-4-53

To the Registrar
High Court, Madras
(with copy of D/C)
[R.D. 10-5-53]

1-4-53 1/4/53

1/4/53

1-4-53

5

R.O.C.No.2287/53-E2.

From

Sri V.Krishnaswami, B.A., B.L.,
Official Referee and Vacation Officer,
High Court, Madras.

To

The Secretary to Government,
Home Department,
Fort St. George,
Madras. (with encls.).

Dated 11th June 1953.

Sir,

Courts--Criminal--Bellary District--Stationary Sub Magistrate's Court, Bellary--Heavy arrears--Appointment of an Additional Sub Magistrate's Court upto 30-9-1953--Recommended.

Ref: Home Department's Memorandum No. 67498 Courts II/53-1 dated 1-4-1953.

***

I am directed to forward a copy of letter Dis.5210/53-A1 dated 25-5-53 called for from the District Magistrate (Judicial), Gooty on the subject cited and to state that the Honourable the Judges recommend the appointment of an additional Sub Magistrate's Court at Bellary with the usual staff upto 30-9-1953.

2 The extra cost involved will be met from the existing appropriation under "27.h. Criminal Courts."

V. Krishnaswamy 11.6.53
Official Referee and Vacation Officer.

Copy to

The District Magistrate (Judl.), Gooty.

KvsM/

7

Copy of letter No. Dis.5210/53.A1., dated 25-5-53 from Sri V.Sundarama Aiyar, M.A., B.L., District Magistrate, Gooty. to The Registrar, High Court, Madras.

Sub: Courts--Criminal--Appointment of an additional Sub Magistrate to the court of the Sub Magistrate, Bellary--further report--submission of:

Ref: 1. This office letter Dis.4058/53 d/14-4-53.

2. High Courts letter Roc.No.2287/53-E2, dated 25-4-53.

With reference to the High Court's letter referred to above I enclose herewith a statement showing the pendency of cases in the Sub Magistrate's Court, Bellary under various legal enactments in the prescribed tabular form communicated with High Courts P.Dis.No.279/53, dated 9-4-53.

2. 402 cases were pending in the Stationary Sub Magistrate's Court, Bellary on 14-5-53 of which 107 and 170 cases are under I.P.C. and Prohibition Act respectively. The remaining cases are under various Acts as detailed in the form enclosed. 12 and 25 cases under I.P.C. and 30 and 73 cases under Prohibition Act in which the accused have been apprehended are pending over 6 and 2 months respectively. There are 46 and 32 cases pending over 2 months old under I.P.C. and Prohibition Act in which the accused have not been apprehended.

3. The pendency continues to be high in spite of the hard work and adequate disposals of the Sub Magistrate every month. The reasons for the heavy pendency appears to be that there are many cases pending for over 2 months under I.P.C; Prohibition and other Acts as a result of the non-apprehension of the accused, as also the pendency of old cases in which the accused have been apprehended coupled with heavy institution of cases every month.

4 As the file is heavy for one officer, the appointment of an additional Sub Magistrate will help the reduction of arrears of work. The pendency in the Bench Court, Bellary on 30-4-53 was 362 cases of which 250 cases relate to 1952, owing to theheavy Institutions during the IV quarter 1952 and I quarter 1953. The appointment of Additional Magistrate will go a long way to reduce the pendency in this court also. Therefore, I am of opinion, that the appointment of an additional Sub Magistrate with the following staff for a period of 6 months from the date of appointment is necessary.

1. Two Lower Division Clerks.
2 One Attender and
3. Two peons.

5 As regards accommodation the present Sub Magistrate's Court building can not accommodate two officers and I have addressed the Collector and Rent Controller, Bellary in the matter. I shall also try to secure the minimum furniture required for the additional court from the Collector Bellary if possible.

(True copy) .

Tabular statement to explain the pendency of cases in the Court of Sub Magistrate, Bellary upto 14-5-53.

CLASS OF CASES.	Cases in which the accused have been apprehended.			Cases in which the accused have not been apprehended.		TOTAL.
	over 6 mths.	over 2 mths.	Under 2 mths.	Over 2 mths	Under 2 months.	Total
1	2	3	4	5	6	7
P.R.Cases.	--	1	1	--	--	2
Cases under I.P.C	12	25	10	46	14	107
Pro. Act.	30	73	13	32	22	170
G.S.T.Act.	--	--	--	--	--	-
E.S. (T.P.)Act.	--	--	--	--	--	-
Misc. Cases.	--	--	--	--	--	-
OTHER ACT.	--	--	--	55	43	98
a) Forest Act.	1	--	--	6	6	13
b) M. V.Acts.	--	--	--	--	12	12
	43	99	24	139	97	402

/True copy/

for SUB ASSISTANT REGISTRAR, 12.60
Administrative Department.

KvsM/

(cno. 67498 dis II/53)

Home Dept

G.O.Ms.No. 2001 Dated 22/6/53

Courts - Criminal - Bellary district - Addl. Sub-magte and staff at Bellary - Employment - Sanctioned.

Read:- From the High court R.O.C.No. 2287/53-E-2 dated 11.6.53

ORDER:-

The Govt. sanction the employment upto 30-9-1953 or till the need ceases whichever is earlier of the following temporary staff in the Bellary district:-

(1) One Additional Sub-magte at Bellary
(2) Two lower division clerks;
(3) One attender; and
(4) Two peons.

2. The expenditure should be debited to the relevant subheads of appropriation under "27. Administration of Justice - h. Criminal Courts."

By Order,

19.6.53

22/6/53

To
The Vacation Officer,
High court, Madras
The Dist. (Judl), Coorg
The A.G. Madras
through the Fin Dept
Duplicate copy to the A.G. Madras
by name

Done.

17 / Home Deptt

Letter/Ref. No. b-7498 dt. 25-6 / Dated: 26-6-53

To

Sri G. Nagabhushanam
B.A. B.L., M.L.A.
Bellary

Sir,

Courts - criminal -
Bellary district -
S.S.M's Court Bellary -
Heavy arrears —
Appointment of an
addl. Sub-magte & staff.
Ref:- Your letter dated 21-3-53
addressed to the Minister
for Law. —

I am to say
that the Govt have since
sanctioned the appointment
of a temporary additional Sub-magte

14.

at Bellary with necessary staff ~~complete 30th September 1953~~ for clearing off the heavy pendency ~~expected~~ in the S.S.M's Court Bellary.

three pleaders

M/s M M & 3 Rs.

4.f

24.6.53

26/6/53

Cont. 67498 dis II/53)

Home Dept.

Courts - Criminal - Bellary district - Stationary Sub magte's court Bellary - Heavy arrears - Appointment of an addl. Sub-magte and staff - Proposal.

p1 cf — From Sri G. Nagabhushanam B.A.B.L. M.L.A. letter Dated 21.3.53.

p3 cf — Issued as Memo No 67498 dis II/53-1 Home Dated 1-4-53.

p5 cf — From the High court. R.O.C. No 2287/53-E.2 Dated 11.6.53.

In his letter on p1 cf, Sri G. Nagabhushanam B.A.B.L., M.L.A. (advocate practising at Bellary) has represented that in spite of the best efforts of the Sub-magte, Bellary a large number of cases are pending disposal in that court and that the litigant public are put to considerable inconvenience and financial loss on account of the delay. He states that in fairness it is necessary to appoint an addl. Sub-magte with staff to dispose of the pending cases quickly and to give relief to the litigant public who are undergoing great hardship.

2. The remarks of the High Court were invited on the M.L.A's letter. The High court has forwarded a letter from the Dist (Judl), Gooty stating that it is necessary to appoint an addl. Sub magte at Bellary with the usual staff for a period of six months from the Date of appointment. The Dist (Judl) has also furnished statistics showing

the pendency in the S.S.M's court Bellary as on 14.5.53. It is seen that on that date 402 cases were pending in that court out of which 107 cases were under the I.P.C and 170 cases were under the Prohibition Act. The reasons for the heavy pendency and the need for an addl Sub-magte's court have been explained by the Dist (Judl) Judge in paras 2 to 4 of his letter on pp 7-8 cf. The High court, in forwarding the Dist's proposal, has stated that the Judges recommend the appointment of addl Sub magte with the usual staff viz two lower division clerks, one attender, and two peons at Bellary upto 30-9-1953. The extra cost involved in the proposal comes to about Rs 2800/- for three and a half months.

Sr. S.M (Fin) has minuted in another connection that in view of the proposed Andhra State, no addl staff should be sanctioned unless it is unavoidable. In the present case, the addl Sub-magte's Court is proposed for clearing the heavy pendency in the court of the Stationary Sub-magte at Bellary, which has resulted in spite of the hard work and adequate disposal by the S.S.M. As it is desirable to allow accumulation of work in criminal courts, the proposal may be deemed to be essential and urgent.

For orders whether in the circumstances the High court's recommendation may be accepted.

P.T.O.

4: Finance may see for remarks.

B
16.6.53
A
16.6.53. A

Gr's Engr's Chief's recommendation may be accepted and the addl staff sanctioned from the date of employment upto 30.9.1953

VBB
16/6/53

DS
17 Jun 53

ASSISTANT SECRETARY TO GOVERNMENT
19 JUN
HOME DEPARTMENT

Home 6748 Ctt 11/53-3
17-6-53

ADDITIONAL DEPUTY SECRETARY TO GOVT
17 JUN 1953
FINANCE DEPARTMENT

Fin

Fin(AF)

Notes of Home from p1 above may be perused. In the circumstances stated therein this dept. may agree to the proposal at A. above. (The extra cost in the proposal works out to Rs 2.300/- for 3½ months)

p5 Y

Home
19.6.53
B
19.6.53

Fin
18/6/53
Home

Fin. w.o.
48856/ED/53-1
18.6.53

Home dept

A draft order is submitted for approval. (No reply seems necessary to the M.L.A. w.r.t his letter on p1 A)

19.6.53
B
22/6/53

Issue to put up a suitable reply to the MLA.

VBB
22/6/53

p11 F — (Issued as G.O. Ms No 2001 Home dated 22.6.53)

Wm ref to the orders at B above

4

a draft letter to the M.L.A. is submtd for approval.

PBG
26/6/53

24.6.53

25.6.53

(Donned as Letter (Ref No 67498 cts II/53-4 Immediate 26.6.53). HH 13.14